

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roger NITSCH et al.

Serial No.: 09/806,509

Filed: April 16, 2001

METHODS OF DIAGNOSING OR PROGNOSING ALZHEIMER'S
DISEASE**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**
UNDER 35 U.S.C. 371Box PCT
Assistant Commissioner of Patents
Washington, D.C. 20231**Attention: APPLICATION BRANCH**
MISSING REQUIREMENTS OF APPLICATION

Sir:

With respect to the above-identified national phase application, the following are filed herewith in response to the Notification of Missing Requirements under 35 U.S.C. 371, mailed May 23, 2001, copy attached.

- ☐ Preliminary Amendment.
- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☒ Information Disclosure Statement.
- ☒ Assignment document with Cover Sheet and \$40.00 fee for Recordation of Assignment.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

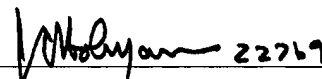
Appln. No. 09/806,509

Please note that the surcharge for providing the Declaration late was included with the filing fee on April 16, 2001, by a check in the amount of \$1918.00. A copy of the transmittal and date-stamped postcard evidencing receipt of the check in the Patent and Trademark Office on April 16, 2001, 2001 are enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By

 22769
for William E. Player
Reg. No. 31,409

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Atty. Docket: P63142US1
Date: July 23, 2001
WEP/cmf



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/806509	NITSCH	P63142US1

JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

R

INTERNATIONAL APPLICATION NO.

PCT/EP99/08023

I.A. FILING DATE	PRIORITY DATE
22 OCT 99	23 OCT 98

DATE MAILED: 23 MAY 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):

- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- | |
|---|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A processing fee will be required if submitted later than 20 months from the priority date. |

JACOBSON HOLMAN PLLC
Response Due On Or Before
Month 7 Day 23 Year 01

MSA

****HAND CARRY** TO PCT WINDOW, CRYSTAL PLAZA II, 8TH FLOOR**

Att'y Docket: P63142US1

Today's Date: April 16, 2001

Serial No.: New U.S. National Phase Application

Applicant: NITSCH et al

Filing Date: April 16, 2001

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- X Preliminary Amendment to Lessen Fees
- X International Search Report (210)
- X PCT/IB/301/304/306/308 Form(s)
- X First Page of Publ
- X IPR (409)
- X 50 pg. Specif. with 36 claims and Abstract
- X 10 Sheets of Drawings

Check for \$ 1918.00 Check No. 52449

DUE DATE: April 23, 2001

JACOBSON, PRICE, HOLMAN & STERN, PLLC
400 SEVENTH STREET, NW
WASHINGTON, DC 20004

Jrc

Rec'd PCT/PTO 16 APR 2001

09/806509

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER P63142US1
		US APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP99/08023	INTERNATIONAL FILING DATE 22 October 1999	PRIORITY DATE CLAIMED 23 October 1998
TITLE OF INVENTION METHOD OF DIAGNOSING OR PROGNOSING ALZHEIMER'S DISEASE		
APPLICANT(S) FOR DO/EO/US Roger NITSCH -and- John GROWDON		

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

International Search Report — EPO
 PCT/IB/301 Form
 PCT/IB/304 Form
 PCT/IB/306 Form
 PCT/IB/308 Form
 First Page of Publication
 International Preliminary Examination Report — with Annexes

COPY

PCT/EP99/08023

P63142US1

17. ☒ The following fees are submitted:**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Internatl. prelim. examination fee paid to USPTO (37 CFR 1.492 (a) (1)) .. \$690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .. \$710.00

Neither international preliminary examination fee (37 CFR 1.492 (a) (3)) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO) \$1000.00

International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (4)) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00

Search Report prepared by the EPO or JPO (37 CFR 1.492 (a) (5)) \$860.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than

☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

Claims**Number Filed****Number Extra****Rate**

Total Claims

36 - 20 =

-16-

x \$18.00

\$ 288.00

Independent Claims

11 - 3 =

-8-

x \$80.00

\$ 640.00

Multiple Dependent Claim(s) (if applicable)

+ \$270.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 1918.00

Reduction by 1/2 for filing by **small entity**, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 1918.00

Processing fee of \$130 for furnishing the **English translation** later than☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f))

\$

TOTAL NATIONAL FEE =

\$ 1918.00

Fee of \$40.00 for recording the enclosed **assignment** (37 CFR 1.21(h)).

Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).

\$

TOTAL FEES ENCLOSED =

\$ 1918.00

Amt. to be refunded: \$

Amt. charged: \$

a. ☒ A check in the amount of \$ 1918.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. 06-1358 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.SEND ALL CORRESPONDENCE TO:
Jacobson, Price, Holman & Stern, PLLC

400 7th Street, N.W., Suite 600

Washington, DC 20004

202-638-6666

CUSTOMER NUMBER: 00136By William E. Player
Reg. No. 31,409